

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re	)	Chapter 7
)	
Keith J. Lenz,	)	Case No. 07-09006
)	
Debtor.	)	Hon. Carol A. Doyle

**Application for Allowance and Payment of
Final Compensation and Reimbursement of Expenses
of Joseph A. Baldi & Associates, Attorneys for Trustee**

Joseph A. Baldi & Associates, P.C. ("Baldi & Associates" or "B&A"), attorneys for Joseph A. Baldi, as trustee ("Trustee") of the estate ("Estate") of Keith J. Lenz, debtor ("Debtor"), pursuant to section 330 of title 11, United States Code ("Code"), request this Court to enter an order for the allowance and payment to Baldi & Associates of 1) \$5,656.00 as final compensation for 21.00 hours of legal services rendered to the Trustee from September 6, 2007 through the close of this case and 2) \$23.37 as reimbursement of expenses incurred in connection with such services. In support thereof, Baldi & Associates respectfully states as follows:

Introduction

1. Debtor commenced this case on May 17, 2007 by filing a voluntary petition for relief under chapter 7 of the Code.
2. Joseph A. Baldi is the duly appointed, qualified and acting chapter 7 trustee in this case.
3. As of the commencement of this case, the Estate's primary asset was Estate's interest in certain real property commonly known as 8944 Reserve Drive, Willow Springs, Illinois (the "Property").
4. The bar date for filing claims in this case was December 6, 2007.

Retention of Baldi & Associates

5. On October 16, 2007, the Court entered an order authorizing Trustee to employ Joseph A. Baldi and the law firm of Baldi & Associates as his counsel in this case. A copy of the order authorizing Trustee to retain Baldi & Associates is attached hereto as Exhibit A. Baldi & Associates has served as counsel for Trustee at all times since its retention.

6. The professional qualifications and experience of the Baldi & Associates attorneys who have performed substantial legal services for the Trustee during the period covered by this Application are set forth in Exhibit B. The attorneys and paralegals who were primarily responsible for representing the Trustee during the period covered by this fee application are:

Joseph A. Baldi -- Partner
Elizabeth C. Berg -- Associate/Paralegal¹
Ricki Podorovsky—Paralegal

Prior Compensation Received

7. This is the first and final application ("Application") for allowance and payment of compensation that Baldi & Associates will file in this case.

Services Rendered by Baldi & Associates

8. Itemized and detailed descriptions of the specific services rendered by Baldi & Associates to the Trustee for which compensation is sought in this Application are reflected on the billing statements attached hereto as Exhibit C. The billing statements set forth the name of each attorney or paralegal, the amount of time spent rendering each service, the date on which each service was rendered, a description of the service rendered and the total number of hours of services rendered by each attorney or paralegal in each category.

9. The services rendered by Baldi & Associates during the period covered by this

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Ms. Berg is both a licensed attorney at law and a certified and duly trained paralegal. She has performed services on behalf of Trustee in this case in both capacities. As previously disclosed in the Trustee's application to employ Baldi & Associates, Ms. Berg maintains separate timekeeper numbers in order to distinguish her dual capacities and to bill her services at the appropriate rate.

Application have been categorized in three (3) categories and are summarized below:

General Administration: Baldi & Associates compiled information and documentation as needed by the Trustee's accountants for preparation of the Estate's tax returns; represented and advised the Trustee with respect to his duties under the Bankruptcy Code; and prepared this final fee application and the final fee applications of the Trustee and the Trustee's Accountants.

In connection with the foregoing, Baldi & Associates spent 6.40 hours for which it requests allowance and payment of final compensation in the amount of \$1,162.00.

Retention of Professionals: Baldi & Associates prepared and presented the Trustee's Motion to Employ Attorneys and the Trustee's Motion to Employ Accountants.

In connection with the foregoing, Baldi & Associates spent 2.40 hours for which it requests allowance and payment of final compensation in the amount of \$496.00.

Sale of Property: Baldi & Associates analyzed and advised the Trustee as to the Estate's interest in the Property which was jointly owned by the Debtor and his non-debtor spouse in tenancy by the entireties; at the direction of the Trustee, Baldi & Associates negotiated with the Debtor for a sale of the Estate's interest in the Property; Baldi & Associates prepared and presented the Trustee's Motion to Sell the Property; Baldi & Associates prepared documents necessary to effectuate the closing of the sale of the Property and oversaw the closing of the sale of the Property. As a result of these efforts, the Trustee recovered gross proceeds of \$27,000.00 for the benefit of the Estate's creditors.

In connection with the foregoing, Baldi & Associates spent 12.20 hours for which it requests allowance and payment of final compensation in the amount of \$3,998.00.

Compensation Requested

10. Baldi & Associates has expended a total of 21.00 hours for the services described and categorized in paragraph nine above. The total value of and the amount of compensation requested herein for those services is \$5,656.00.

11. All of the services performed by Baldi & Associates were required for proper representation of the Trustee in this case, were authorized by this Court and were performed by Baldi & Associates at the request and direction of the Trustee. Pursuant to Section 330 of the Code and the generally applicable criteria with respect to the nature, extent and value of the services performed, all of Baldi & Associates' services are compensable and the compensation requested herein is fair and reasonable. There has been no duplication of services rendered to the Trustee by Baldi & Associates for which compensation is requested. In those instances where two or more attorneys participated in any matter, such joint participation was necessary due to the complexity of the problems involved.

12. The rates charged by the attorneys and paralegals of Baldi & Associates in this Application are their usual and customary hourly rates charged during the period covered by this Application for work performed for other clients in both bankruptcy and non-bankruptcy matters. A list of each person who performed services for the Trustee and their hourly rate is contained in the billing statements attached hereto as Exhibit C.

Payment of Compensation

13. Baldi & Associates has not entered into any agreement or understanding of any kind, express or implied, with any other entity to share any compensation received or to be received by Baldi & Associates for services rendered to the Trustee in connection with this case.

14. Baldi & Associates has not previously received or been promised any payments for services rendered in this case.

15. The Affidavit of Joseph A Baldi pursuant to Rule 2016 of the Federal Rules of Bankruptcy Procedure is attached hereto as Exhibit D and made a part hereof.

16. The proposed source for payment of the compensation requested in this Application are the Estate funds in the Trustee's possession, collected by him during his administration of this case.

Expense Reimbursement

17. In connection with the performance of the services included herein, Baldi & Associates has incurred actual and necessary expenses for which he requests reimbursement in the amount of \$23.27. These expenses primarily relate to photocopying and postage for pleadings filed with the Court. Itemized descriptions of the expenses are included within the billing statements attached hereto as Exhibit C.

Status of the Case

18. The Trustee has administered all of the assets belonging to this Estate and completed his review and analysis of the claims filed against the Estate.

19. Trustee has completed and filed his Final Report simultaneously herewith. Final Fee Applications for the Trustee and the Trustee's Accountants have also been filed concurrently with this Application.

Financial Condition of the Case

20. Trustee currently has \$27,026.08 on deposit in the Estate's bank accounts. The Chapter 7 administrative expenses that are currently owing and those the Trustee anticipates the Estate will incur prior to the closing of this case include 1) the fees allowed to Trustee in connection with his final fee application, 2) the legal fees and expenses allowed to Joseph A. Baldi & Associates, P.C. in connection with this final fee application, 3) the fees allowed to Trustee's accountants in connection with its final fee application, and 4) any fees which may be due or outstanding to the offices of the United States Trustee and the Clerk of the United States Bankruptcy Court.

21. Following payment of all Chapter 7 administrative expenses set forth above, Trustee estimates there will be funds available to make a final distribution to general unsecured creditors in this case representing 21.74% of allowed claims.

Trustee's Approval

22. Baldi & Associates certifies that the Trustee has received, reviewed and approved this Application.

WHEREFORE, Baldi & Associates, attorneys for Joseph A. Baldi, as trustee, requests the entry of an order providing the following:

A. Allowing to Baldi & Associates final compensation in the amount of \$5,656.00 for actual and necessary professional services rendered to the Trustee from September 7, 2006 through the closing of this case; and

B. Allowing to Baldi & Associates reimbursement of \$23.37 for expenses incurred in connection with the foregoing services; and

C. For such other and further relief as this Court deems appropriate.

Dated: March 31, 2009

Joseph A. Baldi & Associates, P.C.

Attorneys for Joseph A. Baldi, as trustee of the estate
of Keith J. Lenz, debtor

By: /s/
Joseph A. Baldi

Joseph A. Baldi/Atty ID 00100145
Elizabeth C. Berg/Atty ID 6200886
19 South LaSalle St. Suite 1500
Chicago IL 60603
312.726.8150

Retention Order

Exhibit A

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re	)	Chapter 7
	)	Case No. 07-09006
Keith J. Lenz,	)	Hon. Carol A. Doyle
	)	Hearing Date: October 16, 2007
Debtor.	)	Time: 10:00 a.m.

Order Authorizing Trustee to Employ Attorneys

THIS CAUSE comes before this Court on the Trustee's Application to Employ Joseph A. Baldi and the law firm of Joseph A. Baldi & Associates, P.C. as attorneys for Trustee and the affidavit of Joseph A. Baldi in support thereof; and the Court being fully advised in the premises:

IT IS HEREBY ORDERED that Joseph A. Baldi, as trustee of the estate of Keith J. Lenz, debtor, is authorized to employ Joseph A. Baldi and the law firm of Joseph A. Baldi & Associates, P.C. to act as counsel for the Trustee, with compensation to be paid in such amounts as may be allowed by this Court upon proper application therefor.

Dated: October 16, 2007

ENTER:


Honorable Carol A. Doyle
United States Bankruptcy Judge

Joseph A. Baldi
Attorney ID No. 00100145
Elizabeth C. Berg
Attorney ID No. 6200886
Joseph A. Baldi & Associates, P.C.
19 South LaSalle Street Suite 1500
Chicago, IL 60603
(312) 726-8150

Professional Qualifications

Exhibit B

Baldi & Associates

Joseph A. Baldi

Joseph A. Baldi is the principal shareholder of Baldi & Associates. Prior to establishing his own law firm, Mr. Baldi was a partner in the Chicago law firms of Schwartz & Freeman and Rosenthal and Schanfield, P.C., where he was the Practice Group Chair of the Bankruptcy, Reorganization and Creditors' Rights Practice Group. Mr. Baldi has broad experience in insolvency matters, including bankruptcies, workouts, receiverships and assignments for the benefit of creditors.

Mr. Baldi's extensive experience in the field of bankruptcy includes the representation of creditors, debtors, bankruptcy trustees and creditor committees. Mr. Baldi has represented a variety of lenders, including banks, life insurance companies and other secured creditors in bankruptcy courts throughout the country. Mr. Baldi has represented debtors and bankruptcy trustees in both chapter 7 and chapter 11 cases involving real estate partnerships, restaurants, software vendors, trucking companies, construction firms and gas production facilities.

Mr. Baldi has been a member of the panel of private trustees appointed by the United States Trustee's Office for the Northern District of Illinois since 1988. He has operated numerous businesses as a chapter 11 trustee, including an aluminum manufacturing facility, a steel mini-mill, a retirement home and an industrial real estate partnership. Mr. Baldi has also liquidated a broad range of business entities as a chapter 7 trustee, including law firms, distributorships, retail firms and construction companies.

In addition to his experience in private practice, Mr. Baldi spent five years employed by the United States Trustee's Office in Chicago, Illinois where he supervised some of the largest Chapter 11 cases pending in the Northern District of Illinois. While at the U.S. Trustee's office, Mr. Baldi was responsible for the U.S. Trustee's program which monitors chapter 7 panel trustees.

Mr. Baldi is admitted to practice before the Supreme Court of Illinois, the United States District Courts for the Northern District of Illinois, the Eastern District of Wisconsin, the Northern District of Indiana and the Eastern District of Michigan and the Seventh Circuit Court of Appeals. Mr. Baldi is a member of the Bankruptcy and Reorganizations Committee of the Chicago Bar Association and American Bar Associations, the American Bankruptcy Institute and the National Association of Bankruptcy Trustees. Mr. Baldi has also actively participated in the Mediation and Local Rules subcommittees of the Chicago Bar Association's Bankruptcy and Reorganizations Committee. In addition to his legal pursuits, Mr. Baldi is active in municipal affairs in his hometown of Park Ridge, Illinois as a member of his local elementary school board and a Park Ridge alderman.

Mr. Baldi received his Juris Doctor, *cum laude*, from DePaul University, Chicago, Illinois and received his Bachelor of Arts degree from Western Illinois University in Psychology.

Baldi & Associates

Elizabeth C. Berg

Elizabeth C. Berg is an Associate of the firm and her expertise is in representing bankruptcy trustees and creditors in both chapter 7 and chapter 11 bankruptcies. Mrs. Berg has represented and worked with Mr. Baldi since his appointment to the panel of private trustees in 1988. Mrs. Berg also has experience representing lenders, borrowers and receivers in commercial foreclosure actions.

Prior to her graduation from law school in 1989, Mrs. Berg spent six years as a legal assistant, focusing her practice in the areas of secured transactions, mortgage lending and bankruptcy.

Mrs. Berg is admitted to practice in the State of Illinois and the United States District Court for the Northern District of Illinois. She is a member of the Illinois State Bar Association.

Mrs. Berg received her Juris Doctor from Loyola University School of Law where she was the recipient of the Lawyers Cooperative Publishing Company's American Jurisprudence Award for Excellent Achievement in the Study of Bankruptcy. She received her certification as a paralegal from Roosevelt University in Chicago, Illinois and received her Bachelor of Arts degree from Brown University in French Language and Culture.

In addition to practicing law, Mrs. Berg has also been a part-time instructor in the Paralegal Studies Department of Northwestern Business College where she taught introductory law classes to prospective legal assistants.

Billing Statements

Exhibit C

Joseph A. Baldi & Associates, P.C.
 19 South LaSalle Street
 Suite 1500
 Chicago, IL 60603

Phone: (312) 726-8150

Fax: (312) 726-5067

FEIN: 36-4352753

Invoice submitted to:

March 28, 2009

Invoice No: 1234

Joseph A. Baldi, trustee
 Joseph A. Baldi
 19 South LaSalle Street
 Suite 1500
 Chicago, IL 60603

Consolidated Summary

	Hours	Fees	Expenses	Total Charges	Payments	Previous Balance	Balance Due
Lenz - General Administration							
	6.40	\$1,162.00	\$0.00	\$1,162.00	\$0.00	\$0.00	\$1,162.00
Lenz - Retention of Professionals							
	2.40	\$496.00	\$0.00	\$496.00	\$0.00	\$0.00	\$496.00
Lenz - Sale of Real Property							
	12.20	\$3,998.00	\$23.37	\$4,021.37	\$0.00	\$0.00	\$4,021.37
Balance Due	21.00	\$5,656.00	\$23.37	\$5,679.37			<u>\$5,679.37</u>

Lenz - General Administration

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In Reference to: *Lenz - General Administration*

Professional Services

<u>Date</u>	<u>Staff</u>	<u>Description</u>	<u>Hours</u>	<u>Charges</u>
9/06/2007	ECB1	Review docket, lift stay motion and Motion to Avoid Lien for case background as requested by Trustee (.70); discuss status of case and issues with Trustee (.30)	1.00 \$160.00/ hr	\$160.00
2/25/2009	RKP	Review case file for information needed by accountant to assess need of estate tax return (.40); discuss case with L. West for determination of need for tax return (.20).	0.60 \$150.00/ hr	\$90.00
3/28/2009	RKP	Prepare Popowcer final fee application, order, affidavit and coversheet (.80); prepare Trustee's final fee application, coversheet, order and affidavit (1.70); draft B&A final fee application, coversheet, order and affidavit (2.30).	4.80 \$190.00/ hr	\$912.00
Total Hours			6.40	Total Fees \$1,162.00

Lenz - General Administration

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Total New Charges	\$1,162.00
Previous Balance	\$0.00
Balance Due	<u>\$1,162.00</u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Elizabeth (1) C Berg	1.00	\$160.00
Ricki K Podorovsky	0.60	\$150.00
Ricki K Podorovsky	4.80	\$190.00

In Reference to: *Lenz - Retention of Professionals*

Professional Services

Date	Staff	Description	Hours	Charges
9/06/2007	ECB1	Prepare Motion to Hire Attorneys	0.80 \$160.00/ hr	\$128.00
10/10/2007	ECB1	Finalize and file Motion to Employ Attys (.3)	0.30 \$160.00/ hr	\$48.00
10/16/2007	JAB	Court--motion for retention of attorneys	0.20 \$400.00/ hr	\$80.00
2/27/2009	RKP	Draft motion to employ Popowcer as accountants	0.80 \$150.00/ hr	\$120.00
3/12/2009	JAB	Court--application to employ accountants	0.30 \$400.00/ hr	\$120.00
		Total Hours	2.40	Total Fees \$496.00

Lenz - Retention of Professionals

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Total New Charges	\$496.00
Previous Balance	\$0.00
Balance Due	<u>\$496.00</u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Elizabeth (1) C Berg	1.10	\$160.00
Joseph A Baldi	0.50	\$400.00
Ricki K Podorovsky	0.80	\$150.00

Lenz - Sale of Real Property

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In Reference to: *Lenz - Sale of Real Property*

Professional Services

Date	Staff	Description	Hours	Charges
9/10/2007	ECB	Analysis of proposed sale back to debtor of tenancy by the entirety property, including relevant code sections on sale and exemption and J. Wedoff article on TBE in Bankruptcy	2.20 \$250.00/ hr	\$550.00
9/28/2007	JAB	Review file, review creditor list, prepare notice of sale for service on creditors.	2.00 \$400.00/ hr	\$800.00
10/01/2007	ECB1	Review and revise TR motion and Rule 2002 notice re proposed sale of RE back to Debtor	0.30 \$160.00/ hr	\$48.00
10/01/2007	JAB	Review file, prepare motion to sell real estate to debtor.	2.00 \$400.00/ hr	\$800.00
10/04/2007	JAB	Review and revise motion, confer with ACM re filing of same.	0.50 \$400.00/ hr	\$200.00
10/10/2007	ECB1	Prep and file Certificate of Service for Rule 2002 Notice of Sale	0.20 \$160.00/ hr	\$32.00
10/16/2007	JAB	Prepare for and attend hearing on Motion to Sell Real Estate back to Debtor.	0.50 \$400.00/ hr	\$200.00
10/17/2007	JAB	TC with debtor's attorney re sale of property, documents needed re same, timing of documents.	0.40 \$400.00/ hr	\$160.00
10/19/2007	JAB	TC to attorney for debtor re deed (.2). TC to purchaser's attorney re same (.2). Review recorder's records re parcel, pin, tenancy by entirety (.3). Prepare quit claim deeds (.8).	1.50 \$400.00/ hr	\$600.00
10/29/2007	ECB	TC with trustee re execution and notarization of deed and delivery of same to closing (.2) TC with Debtor's counsel re scheduling for closing and other related fissures (.2) Confer with Trustee re issue regarding subdivision of parcels and manner of holding title (.2)	0.60 \$200.00/ hr	\$120.00
10/29/2007	JAB	TC to Maxwell re delivery of deed, TC to ECB re follow up. (.4) TC to K White re closing, delivery of deed. (.3)	0.70 \$400.00/ hr	\$280.00
10/30/2007	ECB1	TC with buyer's attorney office re scheduling for closing of sale (.1) Prepare Letter of Direction for Title Company re delivery of deeds and remittance of sale proceeds (.7) Prep correspondence to all parties re status of closing and delivery of	1.10 \$160.00/ hr	\$176.00

deed (.3)

11/01/2007	ECB1	TC to Ticor office to confirm receipt of deed and time of closing	0.20 \$160.00/hr	\$32.00
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Total Hours	12.20	Total Fees	\$3,998.00
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Lenz - Sale of Real Property

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Expenses

<u>Start Date</u>	<u>Code</u>	<u>Description</u>	<u>Quantity</u>	<u>Charges</u>
10/01/2007	POSTAGE	Rule 2002 Notice of Sale to All Creditors	18.00 @ \$0.41/each	\$7.38
10/01/2007	COPY	Rule 2002 Notice of Sale to All Creditors	18.00 @ \$0.10/each	\$1.80
11/13/2007	OVERNIGHT	Delivery of Deed and Letter of Direction for closing	1.00 @ \$14.19/each	\$14.19
Total Expenses				\$23.37
Total New Charges				\$4,021.37
Previous Balance				\$0.00
Balance Due				<u>\$4,021.37</u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Elizabeth C Berg	2.20	\$250.00
Elizabeth C Berg	0.60	\$200.00
Elizabeth (1) C Berg	1.80	\$160.00
Joseph A Baldi	7.60	\$400.00

Rule 2016 Affidavit

Exhibit D

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re	)	Chapter 7
)	
Keith J. Lenz,	)	Case No. 07-09006 CAD
)	
Debtor.	)	Hon. Carol A. Doyle

Rule 2016 Affidavit

State of Illinois)
County of Cook)

I, Joseph A. Baldi, being first duly sworn upon oath, do depose and state as follows:

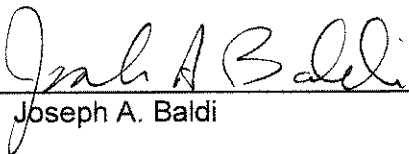
1. I am the principal of Joseph A. Baldi & Associates and am authorized to execute this affidavit on behalf of Joseph A. Baldi & Associates.

2. I have read the Application for Allowance and Payment of Final Compensation and Reimbursement of Expenses of Joseph A. Baldi & Associates, Attorneys for Trustee ("Application") and all of the factual matters set forth therein are true to the best of my knowledge, information and belief. Joseph A. Baldi & Associates has performed the services set forth and described in the Application at the request and pursuant to the direction of the Trustee.

3. A copy of the Application has been provided to Trustee and the Trustee has reviewed and approved the Application.

4. Joseph A. Baldi & Associates has not previously received payment of any compensation for services rendered in connection with this case. Joseph A. Baldi & Associates has not entered into any agreement with any other person or persons for the sharing of compensation received or to be received for services rendered in connection with this matter, except among the principals and associates of Joseph A. Baldi & Associates.

5. Further affiant sayeth naught.



Joseph A. Baldi

Subscribed and Sworn to before me
this 30 day of March, 2009



Notary Public

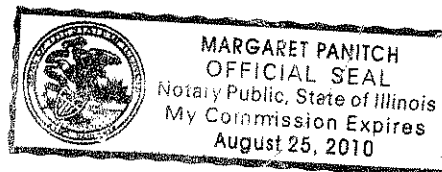


Exhibit D